

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SHANE POOLE,

Plaintiff,

v.

Case No.: 2:18-cv-810-FtM-38MRM

TIRE RECYCLING SERVICES OF
FLORIDA, INC. and CHRISTOPHER
JOHNSON,

Defendants.

_____ /

OPINION AND ORDER¹

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation ([Doc. 58](#)). Judge McCoy recommends granting the parties' Joint Motion to Approve Settlement and Dismiss With Prejudice ([Doc. 57](#)) as a "fair and reasonable solution of a bona fide dispute" of the FLSA issues. No objections were filed and the time to do so has expired.

A district judge "may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge." [28 U.S.C. § 636\(b\)\(1\)](#). The district judge "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* And "[t]he judge may also receive further evidence or recommit the matter to the magistrate judge with instructions." *Id.*

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

After examining the file independently, and upon considering Judge McCoy's findings and recommendations, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now

ORDERED:

(1) The Report and Recommendation ([Doc. 58](#)) is **ACCEPTED** and **ADOPTED** and the findings incorporated herein.


(2) The Joint Motion to Approve Settlement and Dismiss With Prejudice ([Doc. 57](#)) is **GRANTED**.

a. The Joint Motion is granted to the extent that the Settlement Agreement ([Doc. 57-1](#)) is **APPROVED** as a "fair and reasonable resolution of a bona fide dispute" of the parties' FLSA issues.

b. The above-captioned case is **DISMISSED with prejudice**.

(3) The Clerk is **DIRECTED** to enter judgment, deny all pending motions as moot, terminate any deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 27th day of March 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record